

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES M. V. AMADEO,
Plaintiff,
v.
JOHN DAVEY; et al.,
Defendants.

No. C 06-5999 MHP (pr)
ORDER

Defendants have moved for a stay of discovery pending a ruling on their motion for summary judgment in which they have raised a qualified immunity defense. The U.S. Supreme Court has made it abundantly clear that a district court should stay discovery until the threshold question of qualified immunity is settled. See Crawford-El v. Britton, 523 U.S. 574, 598 (1998); Anderson v. Creighton, 483 U.S. 635, 646 n.6 (1987); Harlow v. Fitzgerald, 457 U.S. 800, 818 (1982). The duty to stay discovery once defendants file a dispositive motion raising qualified immunity as a defense is very well-settled. Defendants' motion to stay discovery is GRANTED. (Docket # 30.) All discovery is STAYED until defendants' motion for summary judgment raising the qualified immunity defense is resolved.

Plaintiff's motion for an extension of time to file his opposition to defendants' motion for summary judgment is GRANTED. (Docket # 33.) Plaintiff must file and serve his opposition to the motion no later than **December 21, 2007**. Defendants must file and serve their opposition, if any, no later than **January 11, 2008**.

IT IS SO ORDERED.

Dated: November 15 2007


Marilyn Hall Patel
United States District Judge